

Exhibit J

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SCANVINSKI JEROME HYMES,

Plaintiff,

vs.

Case No.: 3:16-cv-04288-JSC

MILTON BLISS, VICTOR M.
SANCHEZ, JOSEPH A. LEONARDINI,
SCOTT NEU, EUGENE A. JONES,
PAUL TIMPANO, PIERRE A. GRAY,

Defendants.

NONCONFIDENTIAL PORTION ONLY

DEPOSITION OF JOSEPH A. LEONARDINI

Tuesday, August 14, 2018

REPORTER'S TRANSCRIPT OF PROCEEDINGS
BY APRIL DAWN HEVEROH, CSR NO. 8759

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I N D E X

EXAMINATION BY:	PAGE
MS. HENRY	5
MR. MATHESON	110

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INDEX OF PLAINTIFF'S EXHIBITS

NO.	DESCRIPTION	PAGE
EXHIBIT 1	Incident Report Statement	72
EXHIBIT 2	San Francisco Sheriff's Department Incident Report dated 06/03/1993	77
EXHIBIT 3	San Francisco Sheriff's Department S.O.R.T. - Cell Extraction Policy and Procedure	80

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Also present: Steve Zavattero, Videographer

1 review any documents?

2 A. I did.

3 Q. What documents did you review?

4 A. I reviewed an incident report that was prepared
5 by Sergeant Bliss, and I also did a quick review of the
6 policies. I think I reviewed the Use of Force policy
7 real quick and a S.O.R.T. policy.

8 Q. And did you review your own incident report?

9 A. The handwritten incident report? I did.

10 Q. And did you review any videos?

11 A. I did. I reviewed the S.O.R.T. extraction of
12 Mr. Hymes.

13 Q. And was that the video that's approximately 13
14 minutes long?

15 A. I believe so.

16 Q. Okay. Did you review any audio, any
17 interviews, for example?

18 A. No.

19 Q. Did you review any emails or text messages, not
20 including from your attorney?

21 A. I had emails regarding Inmate Hymes coming to
22 the jail. These were like via the captain officer
23 safety bulletin, and I believe there was also a video
24 attached to the email, and I believe it was from the
25 show Locked Up. It's a TV program.

1 regarding an incident with Mr. Hymes on July 24th, 2014.
2 If I refer to the cell extraction on that day and the
3 circumstances surrounding the extraction as "the
4 incident," will you understand?

5 A. Yes.

6 Q. Were you working as a sheriff's deputy in
7 San Francisco on the day of the incident?

8 A. Yes.

9 Q. What time did you start working?

10 A. It was either 6:45 or 7:00 a.m.

11 Q. And what was your assignment that day?

12 A. Well, I was a senior deputy. I believe I was
13 assigned as a supervisor. So if I may, the senior
14 deputy position is a quasi-supervisor position. So it
15 could be I worked as a deputy at a post or you can be
16 supervisor.

17 Q. Do you remember if you were working at a post?

18 A. I believe I was a supervisor.

19 Q. Supervisor. No post. Had you ever seen
20 Mr. Hymes before the day of the incident?

21 A. No.

22 Q. Had you heard of Mr. Hymes before the day of
23 the incident?

24 A. Yes.

25 Q. How had you heard of Mr. Hymes before the day

1 of the incident?

2 A. Like I mentioned earlier, there was an officer
3 safety bulletin being passed out by the classification,
4 I believe Captain Adams at the time.

5 Q. And on the 24th, July 24th of 2014, what was
6 the first you saw of Mr. Hymes?

7 A. It was actually during the actual cell
8 extraction.

9 Q. During the extraction. Not before.
10 Had you seen Mr. Hymes before the extraction?

11 A. No.

12 Q. Had you heard Mr. Hymes before the extraction?

13 A. Yes.

14 Q. Did you hear anyone give orders to Mr. Hymes
15 before the extraction?

16 MR. MATHESON: Objection. Vague as to time.

17 BY MS. HENRY:

18 Q. Did you hear anyone give orders to Mr. Hymes
19 before the S.O.R.T. team was convened?

20 A. I don't recall.

21 Q. How did you become involved in the S.O.R.T.
22 team?

23 A. Sergeant Bliss advised me that we would be
24 doing a S.O.R.T.

25 Q. And why did Sergeant Bliss call for a S.O.R.T.?

1 that the previous two deputies that had identified
2 themselves have now left the room.

3 BY MS. HENRY:

4 Q. What did you observe next?

5 A. A struggle on the ground of cell F1. I
6 couldn't see specifically what was going on. I saw
7 thrashing. Inmate Hymes, I believe, was kicking his
8 feet. That's about all I could see.

9 Q. Were any deputies on top of Mr. Hymes?

10 A. Due to the size of the cell and the amount of
11 deputies in there, I would say yes.

12 Q. Would they have been sitting on Mr. Hymes?

13 A. No.

14 Q. Would they have been putting their knees on
15 Mr. Hymes?

16 A. Possibly.

17 Q. Would they have been standing on Mr. Hymes?

18 A. No.

19 Q. Would they have been controlling Mr. Hymes?

20 A. (No audible response.)

21 Q. Did you observe deputies kneeling on Mr. Hymes?

22 A. I don't recall.

23 Q. Did you observe deputies standing on Mr. Hymes?

24 A. I don't recall.

25 Q. Did you observe deputies using their arms to

REPORTER CERTIFICATE

I hereby certify that the witness in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth and nothing but the truth in the within-entitled cause; that said deposition was taken at the time and place herein named; that the deposition is a true record of the witness' testimony as reported to the best of my ability by me, a duly certified shorthand reporter and a disinterested person, and was thereafter transcribed under my direction into typewriting by computer.

I further certify that I am not interested in the outcome of said action, nor connected with, nor related to any of the parties in said action, nor to their respective counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2018.

APRIL DAWN HEVEROH
CSR NO. 8759